No. 82-6080-CFH
Status: GRANTED

Title: Thomas A. Barefoot, Petitioner
v.
W. J. Estelle, Jr., Director, Texas Department of Corrections

Docketed:
January 24, 1983

Court: United States Court of Appeals for the Fifth Circuit

Counsel for petitioner: Gray Jr.,William E.

Counsel for respondent: Becker,Douglas M.

Entry	Date	Note	Proceedings and Orders
1	Jan 24 1983	G	Petition for writ of certiorari and motion for leave to proceed in forma pauperis filed.
5	Jan 21 1983		Application for stay of execution filed.
6	Jan 21 1983		Response thereto filed.
7	Jan 22 1983		Supplement to application filed.
8	Jan 24 1983		Referred to Court by Justice White (Conference Jan. 21, 1983)
10	Jan 24 1983		The application for stay of execution of sentence of death was presented to Justice White and referred to the Court. Treating the application as a petition for writ of certiorari before judgment, certiorari is granted. The parties are directed to brief and argue the question presented by the application, namely, the appropriate standard for granting or denying a stay of execution pending disposition of an appeal by a federal court of appeals by a death-sentenced federal habeas corpus petitioner, and also the issues on the appeal before the United States Court of Appeals for the Fifth Circuit. Execution and enforcement of the sentence of death set for Tuesday, January 25, 1983 is stayed pending the sending down of the judgment of this Court.
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12	Feb 18 1983	G	Motion of petitioner for leave to proceed in forma pauperis filed.
14	Feb 24 1983		DISTRIBUTED. February 25, 1983
18	Feb 28 1983		Motion of petitioner for leave to proceed in forma pauperis GRANTED.
19	Mar 4 1983		Brief amicus curiae of American Bar Assn. filed.
20	Mar 4 1983		Brief amicus curiae of American Psychiartic Assn. filed.
21	Mar 7 1983		Brief amicus curiae of NAACP Legal Defense & Education Fund filed.
22	Mar 8 1983		Brief amicus curiae of Texas Civil Liberties Union, et al. filed.
23	Mar 11 1983		Joint appendix filed.
24	Mar 11 1983		Brief of petitioner filed.
25	Mar 22 1983		Record filed.
26	Mar 22 1983		Certified original record & C.A. proceedings received.
27	Mar 24 1983		SET FOR ARGUMENT. Tuesday, April 26, 1983. (2nd case) 1 hour

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Entry	Date	Note	Proceedings and Orders
28	Mar 17 1983		Application for stay of further proceedings in th U. S. Court of Appeals, Fifth Circuit, and in the U. S.
29	Mar 17 1983		District Court for the Western District of Texas, Waco Division filed.
30	Mar 23 1983		Response to application for stay received.
31	Mar 24 1983		Application referred to the Conference, April 1, 1983, by White, J.
32	Mar 25 1983	G	Motion of petitioner for divided argument to permit NAACP Legal Defense and Educational Fund, Inc. to present oral argument as amicus curiae filed.
33	Mar 29 1983		DISTRIBUTED. April 1, 1983. (Application for stay.)
34	Mar 29 1983		Three boxes of state court record received.
35	Mar 31 1983		Brief amicus curiae of State of Florida, et al. filed.
36	Apr 4 1983		Motion of petitioner for divided argument to permit NAACP Legal Defense and Educational Fund, Inc. to present oral argument as amicus curiae GRANTED. The application of counsel for the petitioner to stay further proceedings in the United States Court of Appeals for the Fifth Circuit, case No. 82-1680, pending the sending down of the judgment of this Court presented to Justice White and by him referred to the Court is granted. The request for a stay of further proceedings in the United States District Court for the Western District of Texas is denied.
37	Apr 1 1983		CIRCULATED.
38	Apr 5 1983	G	Motion of Washington Legal Foundation for leave to file a brief as amicus curiae filed.
39	Apr 6 1983	D	Motion of Florida for leave to participate in oral argument as amicus curiae and for additional time for argument filed.
40	Apr 8 1983	X	Brief of respondent W.J. Estelle, Jr., Director filed.
41	Apr 18 1983		Motion of Washington Legal Foundation for leave to file a brief as amicus curiae GRANTED.
42	Apr 18 1983		Motion of Florida for leave to participate in oral argument as amicus curiae and for additional time for argument DENIED.
43	Apr 19 1983	X	Reply brief of petitioner filed.
44	Apr 26 1983		ARGUED.